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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/631,020

07/29/2003

John M. Palmer III

9508

7590

03/15/2004

John M. Palmer, Jr.
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EXAMINER

BAHTA, ABRAHAM

ART UNIT

PAPER NUMBER

1775

DATE MAILED: 03/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/631,020	Applicant(s) PALMER ET AL.	
	Examiner Abraham Bahta	Art Unit 1775	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 February 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The disclosure is objected to because of the following informalities: page 3, line 8 refers to 50 and 54 in fig. 6 but 50 is not in fig. 6.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

Claims 1-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 6 the term "other surfaces" is indefinite as it is not clear what is encompassed by the term "other".

On line 10, "OD" is not defined. What is "OD"?

On lines 9-10, 12, the claim recites a "hoistable light string sleeves" and on line 23 the claim recites, "light string sleeve". This is not clear. What are string sleeves? Are those "string sleeves" the same as the "light socket sleeves" recited in the disclosure?

On line 12, the phrase "can then be" does not recite a positive recitation and should be changed to --are--.

On line 15, the phrase "a combination fixed light string and spreader hub sleeve" is not clear. Does this mean the light string and the hub sleeve is one unit?

On line 18, it is recited "a combination fixed light string". Is this fixed light string the same string recited on line 15? It is not clear which "fixed light string" applicant is referring to.

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On line 21, it is recited "a plurality of profile cables"; however, it is not clear if applicant is referring to the profile cables recited on line 19. Clarification is requested.

The limitation recited on lines 23-24, are confusing. It is not clear what meant by "desired light string sleeves and desired profile cables". The term "light string sleeves" has no support in the specification.

In claim 2, line 26 "ID" is not defined. What is "ID"?

In claim 4, line 31, the phrase "may also" does not recite a positive limitation. Is the provision for attaching the star present or not?

In claim 4, and 8-10 the term "may" and "may be" do not recite a positive limitation. It is not clear if these claims further limit the claims from which they depend.

The limitations that make up the present claimed invention should be positively identified and the terminology in the specification and the claims must be consistent so that a comparison between the claimed invention and the prior art can be made.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

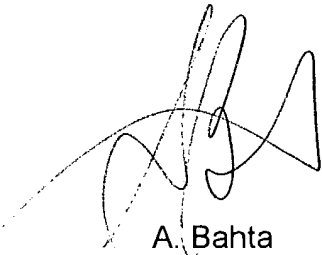
US Patent 5,712,002 teaches an artificial Christmas tree comprising a telescopic pole, a plurality of guy lines extending from the top telescopic section to stakes in the ground and a plurality of Christmas tree stands extending radially intermediate the guy lines and attached to the orifices located on the pole wherein the strands can be adjusted as desired by increasing the number of orifices.

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Any inquiry concerning this communication should be directed to Abraham Bahta whose telephone number is (571) 272-1532. The Examiner can normally be reached Monday-Friday from 11:30 AM -8:00 PM (EST).


If attempts to reach the Examiner by telephone are unsuccessful, the examiner's supervisor Deborah Jones can be reached on (571) 272-1535. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



A. Bahta

03/01/04



DEBORAH JONES
SUPERVISORY PATENT EXAMINER